



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,201	03/10/2004	Noboru Segawa	086531-0136	2432

22428 7590 11/06/2008
FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

HENDRICKSON, STUART L

ART UNIT	PAPER NUMBER
----------	--------------

1793

MAIL DATE	DELIVERY MODE
-----------	---------------

11/06/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/796,201	Applicant(s) SEGAWA ET AL.	
	Examiner Stuart Hendrickson	Art Unit 1793	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/10/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 1793

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 13, 18, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cirillo et al., in view of Abe et al., Takahashi, et al., Dunne, Yamada et al. and Heck et al. These claims are rejected for the reasons given in the prior action.

Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the references above as applied to claims 13, 18, 20 and 21 above, and further in view of Zey et al. 3745751.

The above do not teach deodorizing, however Cirillo teach the presence of SO₂, an odoriferous molecule. Zey establishes that ozone reacts with this (even though Cirillo does not appear to recognize this and thus has additional means for S removal), so the claimed feature is met by Cirillo.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references directly above as applied to claims 13-16, 18, 20 and 21, and further in view of Weinberg. Noting that Cirillo in fact deodorizes, this is for all intents and purposes the same rejection as applied in the prior Office Action.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cirillo, Abe, Takahashi, Dunne, Yamada and Heck as applied to claim 13 above, and further in view of Lee et al.

This is the same rejection as applied in the prior Office Action.

Claims 13-15, 18, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cornwell in view of Abe, Takahashi, Dunne, Yamada and Heck.

Art Unit: 1793

This is the same rejection as applied in the prior Office action, noting that Cornwell teaches treating ammonia. This is identified by the applicant (notwithstanding the error of listing 'ammonium' as a compound on pg. 17) as a gas they also treat, so claim 14 is met.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over the above references as applied to claims 13-15 above, and further in view of Cirillo.

This is the same rejection as applied in the prior Office Action, for all intents and purposes.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cornwell in view of Abe, Takahashi, Dunne, Yamada and Heck as applied to claims 13-15 above above, and further in view of Weinberg.

This is the same rejection as applied in the prior Office Action, for all intents and purposes.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cornwell in view of Abe, Takahashi, Dunne, Yamada and Heck as applied to claim 13 above, and further in view of Lee.

This is the same rejection as applied in the prior Office Action, for all intents and purposes.

Applicant's arguments filed 9/10/08 have been fully considered but they are not persuasive.

The arguments concerning the rejections led by Cirillo and Cornwell are not persuasive since the supporting references teach the honeycomb. They are combinable since treating air pollution is desirable no matter where it occurs. Moreover, auto exhaust can become interior exhaust- when the exhaust from the car ahead of you is drawn into your intake. The arguments

Art Unit: 1793

concerning the lifetime of the O radical are not relevant. The remaining arguments do not refer per se to the additional references. All references are combinable and render the claims unpatentable.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to examiner Hendrickson at telephone number (571) 272-1351.

/Stuart Hendrickson/
examiner Art Unit 1793